



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004
hi.state@madd.org

April 3, 2019

To: Senator Karl Rhoads, Chair, Senate Committee on Judiciary; Senator Glenn Wakai, Vice Chair; and members of the Committee

Senator Donovan M. Dela Cruz, Chair, Senate Committee on Ways and Means; Senator Gilbert S.C. Agaran, Vice Chair; and members of the Committee

From: Carol McNamee and Arkie Koehl, Public Policy Committee - MADD Hawaii

Re: House Bill 703, HD 1, SD1 – Relating to Intoxicating Liquor

The Hawaii Chapter of Mothers Against Drunk Driving is offering testimony in support of House Bill 703, HD1,SD1 - Relating to Intoxicating Liquor – **with amendments**.

Like much of the highway safety community, MADD is in full support of the provisions of this bill which include: increased “look back periods”; increases in fines; increased revocation periods; and making a third OVUII conviction a class C felony (habitual OVUII).

MADD also appreciates the intent of this bill to take a totally new approach to reducing alcohol impaired driving by prohibiting the sale of liquor to individuals who have been convicted of OVUII or whose drivers’ licenses have been administratively revoked due to impaired driving. MADD has not taken any previous position on the restricted license issue because we have no specific national position on this concept, which may contain great promise. However, we believe that this bill, amended, could increase the use of ignition interlock devices — which is one of the principal goals of MADD.

Here is why:

An ignition interlock device prevents a person’s vehicle from starting when the driver has more than a trace of alcohol in his or her system. Sober drivers can legally and safely drive and a non-sober driver won’t be able to get on the road, thereby keeping himself and other road users out of danger.

As of this date, ignition interlocks have prevented approximately 100,000 attempts to start their vehicle by drivers who have been drinking. Unfortunately, these drivers represent only a minority of OVUII offenders: the majority (75%+) of offenders do not elect to install interlock, but the majority of them continue to drive illegally during license revocation. It is in the interest of public safety to encourage more offenders to install interlock. Interlock saves lives.

We therefore propose exempting interlock users from the “alcohol prohibition” part of HB 703 HD1 SD1. This means that, unlike non users, interlock users would still be free to buy alcohol, as they are now, *but they won’t be able to drink and drive.* MADD believes that a larger number of offenders, given the choice between “modified prohibition” or simply not driving drunk, would opt to install interlock. And the more interlocks installed, the more lives saved.

That is why MADD urges the exclusion of persons with an ignition interlock permit from also being required to have their permit “restricted.” *(The areas of the bill needing amendments can be provided.)*

Thank you for the opportunity to submit written testimony.

HB-703-SD-1

Submitted on: 4/2/2019 10:42:50 AM

Testimony for JDC on 4/3/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kari Benes	Individual	Support	No

Comments:

Aloha Chairs of Ways and Means and Judiciary,

This measure provides a mechanism to seriously address those that pose the biggest threat to the safety of our roadways, repeat OVUII offenders.

Thank you for taking this issue to heart and moving in a way that sends a clear message to our communities, that we should not tolerate repeat intoxicated driving.

-Kari Benes

HB-703-SD-1

Submitted on: 4/2/2019 1:57:49 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Taylor Schultz	Individual	Oppose	No

Comments:

April 2, 2019

To: Senate Committee on Judiciary

Chair Karl Rhoads

Vice Chair Glenn Wakai

Taylor Schultz: MSW Candidate University of Hawaii

RE: **Oppose** HB703 HD1 SD1 Relating to Intoxicating Liquor

Dear Members of the Committee:

While I believe this bill is a great start to implementing additionally preventative measures for individuals who are at risk for driving while intoxicated, I have to respectfully oppose the proposed bill. To begin, "adopt rules restricting the use of a driver's license issued to a person prohibited from purchasing or publicly consuming liquor during the probation period invoked pursuant to section 2913-61 or 2913-61.5. A license subject to this subsection shall bear the notation "Liquor Restricted" and shall not be accepted as a valid form of identification for the purchase of liquor. A driver's license that bears the notation "Liquor Restricted" shall expire no later than the date upon which the probation period expires, as determined by the court" specifies that the probationary period will be determined by the court. I oppose this proposal because I believe that there should be a standard probationary period for each level of infraction to eliminate the possibility of court biases towards offenders. I believe that this specific section is a great start but should be further defined in terms of the specific criteria used in order to determine the appropriate probationary time.

It is known that there is an overrepresentation of certain marginalized groups within the prison systems, largely as a result of specific punitive policies that are in place and punishment times being determined on a case-by-case basis while abiding by minimum sentencing or probationary times. Additionally, I think it may be beneficial to require individuals to attend a rehabilitative substance therapy in conjunction with a license probation. Again, I believe that this bill offers a strong foundation for additional preventative measures to combat driving under the influence, however, I believe there needs to be a more concrete probationary process, possibly with mandatory rehabilitative substance use program attendance.

Thank you for the opportunity to testify. Respectfully,
Taylor Schultz
MSW Candidate

LATE

HB-703-SD-1

Submitted on: 4/2/2019 2:47:45 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Samonte	Individual	Support	No

Comments: